

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR07-044-RSL
)
Plaintiff,)
)
v.)
) DETENTION ORDER
MICHAEL KEITH CUMMINGS,)
)
Defendant.)
_____)

Offense charged: Felon in Possession of Firearm

Date of Detention Hearing: Initial Appearance, February 12, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is charged by Indictment with being in possession of a firearm, having previously been convicted of two felonies including Eluding a Pursuing Police Vehicle and

01 Unlawful Possession of a Firearm in the Second Degree.

02 2. Defendant was not interviewed by Pretrial Services. He has a lengthy criminal
03 record, including warrant activity. There is little additional information available about his
04 personal history, residence, family ties, ties to this District, income, financial assets or liabilities,
05 physical/mental health or controlled substance use, if any.

06 3. Defendant does not contest detention.

07 4. Defendant poses a risk of nonappearance due to a history of failing to comply with
08 supervised release, a history of failing to comply with Department of Corrections, possible
09 substance abuse, a history of failing to appear, and a prior conviction for Attempt to Elude. He
10 is a risk of danger due to the nature of the charges, prior noncompliance with Department of
11 Corrections and U.S. Probation, controlled substance issues and the instant offense is alleged to
12 have occurred while the defendant was on supervised release.

13 5. There does not appear to be any condition or combination of conditions that will
14 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
15 to other persons or the community.

16 It is therefore ORDERED:

17 (1) Defendant shall be detained pending trial and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;

21 (2) Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

01 (3) On order of a court of the United States or on request of an attorney for the
02 Government, the person in charge of the corrections facility in which defendant is
03 confined shall deliver the defendant to a United States Marshal for the purpose of
04 an appearance in connection with a court proceeding; and

05 (4) The clerk shall direct copies of this Order to counsel for the United States, to
06 counsel for the defendant, to the United States Marshal, and to the United States
07 Pretrial Services Officer.

08 DATED this 12th day of February, 2007.

09 
10 Mary Alice Theiler
11 United States Magistrate Judge
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